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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Confirmation No. 7556  
Shirou SAWA et al. : Attorney Docket No. 2006\_0177A  
Serial No. 10/568,418 : Group Art Unit 1612  
Filed April 26, 2006 : Examiner Gigi G. Huang  
  
AQUEOUS INTRAOCULAR :  
PENETRATION-PROMOTING EYE DROP : Mail Stop: AF  
  
Via Facsimile 571-273-8300 &  
571-273-9073 & 571-273-0580

**REQUEST FOR NEW OFFICE ACTION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The Office Action dated October 24, 2008 has been received.

The Office Action omits any rejection of claims 1 and 3. Accordingly claims 1 and 3 should be indicated to be allowable and the rejection of dependent claims 10-11 should be withdrawn.

The Office Action fails to acknowledge receipt or consideration of the Rule 132 Declaration filed on August 5, 2008. Acknowledgement of its receipt and its consideration are requested.

The Office Action states that EP 0243408 (sic EP 0243308) is not considered because no translation is submitted and no supplemental search report is submitted. However a supplemental search report citing the EP reference was filed on February 26, 2008 with the IDS.